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## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION

DANIEL HERNANDEZ, SR.,

Plaintiff,

v.

TLC OF THE BAY AREA, INC.; and DOES 1 through 10, inclusive,

Defendants.

Case No. 5:16-cv-05524 HRL

## ORDER DENYING AS MOOT MOTION **TO DISMISS**

Re: Dkt. 12

Plaintiff having timely filed an amended complaint as a matter of course, Fed. R. Civ. P. 15(a), defendant's motion to dismiss (Dkt. 12) is denied as moot.

SO ORDERED.

Dated: November 21, 2016

UNITED STATES MAGISTRATE JUDGE

## 5:16-cv-05524-HRL Notice has been electronically mailed to: dmedby@lawgarcia.com, bartigliere@lawgarcia.com, David Michael Medby jheasley@lawgarcia.com, sgarcia@lawgarcia.com Joseph Ronald LaMagna jlamagna@health-law.com, aparrish@health-law.com, vhernandez@health-law.com Stephen Michael Garcia jmobley@lawgarcia.com, dmedby@lawgarcia.com William Michael Artigliere bartigliere@lawgarcia.com